

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal Action No.  
3:05-MJ-201 (DEP)

DAVID J. FALSO,

Defendant.

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APPEARANCES:

FOR THE GOVERNMENT:

HON. GLENN T. SUDDABY  
United States Attorney  
Northern District of New York  
15 Henry Street  
Binghamton, New York 13901

OF COUNSEL:

MIROSLAV LOVRIC, ESQ.  
Assistant U.S. Attorney

FOR DEFENDANT:

SUBEN LAW OFFICES  
One North Main Street  
3rd Floor  
Cortland, New York 13045

MARK D. SUBEN, ESQ.

DAVID E. PEEBLES  
U. S. MAGISTRATE JUDGE

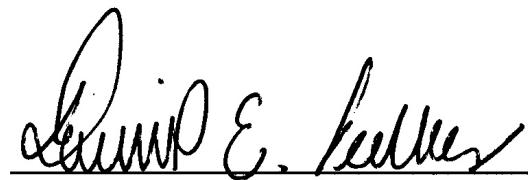
ORDER

Having received and considered an application by the defendant, who has been ordered detained pending trial in connection with this matter, for re-opening of the detention hearing previously held, based upon the existence of new, material information not known to the defendant at the time of the hearing, and the court finding good cause therefore, it is hereby

ORDERED, as follows:

- 1) A hearing will be conducted on September 9, 2005 at 10:00 am at the United States Courthouse in Binghamton, New York in connection with the defendant's application for reconsideration of the court's detention order, dated June 16, 2005 (Dkt. No. 8).
- 2) The clerk is directed to docket the materials submitted by defendant's counsel under cover of his letter dated August 24, 2005.
- 3) The reports of Dr. Damian Vallelonga and Dr. Norman Lesswing, filed as part of defendant's application for reconsideration, shall be filed under seal in light of the sensitive and confidential nature of the contents of those reports.

4) The clerk is directed to promptly forward copies of this order to counsel for the parties via electronic means.



David E. Peebles  
U.S. Magistrate Judge

Dated: September 1, 2005  
Syracuse, NY